

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO.2854 of 2005

Between:

Kavali Sports Club, Kavali, Dr.No. 10-5-4B, Amancharlavari Street,
Kavali, Nellore District, Rep. by its Secretary, Sri K.V. Krishna Reddy S/o. Sivarami
Reddy, aged about 39 yrs, business, R/o. Amancharlavari Street, Kavali, Nellore
District.

...PETITIONER

AND

1. The Sub-Divisional Police Officer, Kavali, Nellore District.
2. The Inspector of Police, Kavali, Nellore District.
3. The Sub Inspector of Police, I Town Police Station, Kavali, Nellore District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Direction or Order more particularly one in the nature of Writ of mandamus declaring the action of the respondents in preventing the members of the petitioner-Club from playing Rummy in the petitioner-Club and interfering with the day to day administration and activities of the petitioner-Club for extraneous reasons and conducting raids without following the Provisions of Section 100 of the Code of Criminal Procedure as illegal, arbitrary, unjust and in violation of Articles 14, 19 (i) (a) (b) and (c) and 21 of the Constitution of India and Section 100 of the Code of Criminal Procedure and consequently direct the respondents not to interfere with the administration and day to day activities of the petitioner-Club including playing of Rummy.

Counsel for the Petitioner: MR.M.VENKATA NARAYANA

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

THE HON'BLE MR JUSTICE D.S.R.VARMA

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ORDER:

The complaint of the petitioner, a Club, is that the respondents have been interfering with the activities of the members of the Club, particularly with the playing of Rummy (13 Cards Game).

The Apex Court as well as this Court has held that the game of Rummy is a game of skill but not a game of chance and betting is also not prohibited.

Having regard to the settled position as held by the Supreme Court and also by this Court, the Writ Petition is allowed with a direction to the respondents not to interfere with the game of Rummy if played by the members of the petitioner-Club. However, the respondents are at liberty to interfere with any other illegal activities as and when found in the premises of the Club.

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(D.S.R.VARMA, J)

3rd March 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Sub-Divisional Police Officer, Kavali, Nellore District.
2. The Inspector of Police, Kavali, Nellore District.
3. The Sub Inspector of Police, I Town Police Station, Kavali, Nellore District.
4. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).
5. Two CD copies.